IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

CIVIL WRIT No. 1610 of 2006

BAL MUKAND TAILOR & ORS.
V/S
STATE & ANR.

Mr. BIPIN for Mr. SANJAY MATHUR, for the appellant / petitioner

Date of Order : 15.4.2006

HON'BLE SHRI N P GUPTA,J.

ORDER

This writ petition has been filed by seven petitioners, challenging Annexure-2, and for restoration of Annexure-1. Annexure-1 collectively are different orders passed passed by different appointing authorities, and they include the petitioners whereby the selection scales were ordered to be given. The orders Annexure-2 were passed way back in January 1999, while the present writ petition has been filed as late as in the year 2004, 5.7.2004 to be precise.

In my view, the question of fixation of pay etc, or order denying or varying pay, allowances etc. is “service matter” within the meaning of Section 2(f) of the Rajasthan Civil Services (Service Matters Appellate Tribunals) Act, 1976, which Act provides for the remedy of

appeal to the petitioner. Admittedly, the petitioner has not availed the remedy which has already become time barred by now. Likewise, since the impugned orders Annexure-2 are of the year 1999, while the present writ petition has been filed in July 2004, and for this period no explanation of whatever nature has been given. In that view of the matter the writ petition is liable to be dismissed on the ground of laches also.

Thus, considering from any stand point I am not inclined to entertain the present writ petition. The same is, therefore, dismissed.

(N P GUPTA),J.

/Sushil/